

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

In re: Asbestos Litigation  
Coordinated Docket

EDNA YVONNE GRACE, as Personal Representative  
of the Estate of FREDDIE E. GRACE, Deceased,

Plaintiffs,

vs.

BAYER CROPSCIENCE, INC.,  
A. W. CHESTERTON COMPANY,  
CRANE CPO.,  
DANA HOLDING CORPORATION,  
FOSTER WHEELER ENERGY CORPORATION,  
GARLOCK SEALING TECHNOLOGIES LLC,  
GENERAL ELECTRIC COMPANY,  
INDUSTRIAL HOLDINGS CORPORATION,  
f/k/a The Carborundum Company,  
INGERSOLL-RAND COMPANY,  
JOHN CRANE, INC.,  
METROPOLITAN LIFE INSURANCE COMPANY,  
NATIONAL SERVICE INDUSTRIES, INC.,  
f/k/a North Brothers, Inc.,  
OWENS-ILLINOIS, INC.,  
RAPID AMERICAN CORPORATION,  
SEPCO CORPORATION,  
UNION CARBIDE CORPORATION,  
UNIROYAL, INC.,  
CBS CORPORATION, f/k/a Viacom, Inc., succ. by  
merger to CBS Corporation, f/k/a Westinghouse  
Corporation,

Defendants.

NOTICE OF REMOVAL

2:09-2219

Bayer Cropscience, Inc., Dana Holding Corporation and Union Carbide Corporation, acting  
for themselves and the other proper defendants, would respectfully show unto the Court in support  
of their Notice of Removal:

1. Bayer Cropscience, Inc., Dana Holding Corporation and Union Carbide Corporation are defendants in the above-entitled action.

2. The above-entitled action was instituted by the plaintiffs against Bayer Cropscience, Inc., Dana Holding Corporation and Union Carbide Corporation, as defendants, by the service of a Summons and Complaint on or about July 29, 2009, and this action is now pending in the court of Common Pleas for Charleston County, South Carolina.

3. At the time of the commencement of the action, the plaintiffs were and still are citizens of the State of South Carolina, and Bayer Cropscience, Inc., Dana Holding Corporation and Union Carbide Corporation, as well as all of the other defendants herein, were at the time of the commencement of this action and still are corporations organized and existing under and by virtue of the laws of jurisdictions other than South Carolina and having their principal place of business in a jurisdiction other than South Carolina.

4. This action accordingly is of a civil nature and involves a controversy wholly between citizens of different states and the value of the matter in dispute in said cause exceeds the sum of Seventy-Five Thousand and no/100 Dollars (\$75,000.00), exclusive of interest and costs, as appears from the allegations contained in plaintiff's Complaint, and said action is one over which the District Court of the United States has original jurisdiction.

5. This action accordingly is of a civil nature and is one over which the District Court of the United States has original jurisdiction.

6. That filed herewith is a copy of all process, pleadings and orders served upon the defendants in this action.

7. That the Clerk of the Court of Common Pleas for Charleston County, South Carolina, has been provided a copy of this Notice of Removal.

8. All other proper defendants consent to the removal of the case.

HAYNSWORTH SINKLER BOYD, P.A.

By /s/ W. David Conner

Moffatt G. McDonald, #2805

W. David Conner, #66358

75 Beattie Place, 11<sup>th</sup> Floor

P.O. Box 2048

Greenville, SC 29602

Attorneys for the Defendants

Bayer Cropscience, Inc., Dana Holding Corporation  
and Union Carbide Corporation

August 21, 2009  
Greenville, SC

DEFENDANT DEMANDS JURY TRIAL